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UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

<p>In re: C. W. MINING COMPANY, dba Co-Op Mining Company, Debtor.</p>	<p>Bankruptcy Case No. 08-20105 RKM (Chapter 11)</p> <p>STATEMENT OF ELECTION TO HAVE APPEAL HEARD IN DISTRICT COURT</p>
<p>GARY E. JUBBER, Trustee, Plaintiff, vs. DEFENDANTS RE HIAWATHA COAL PROCEEDS, Defendants.</p>	<p>Miscellaneous Adversary Proceeding No. 11-08001</p> <p>Hon. R. Kimball Mosier (Electronically Filed)</p>

Gary E. Jubber and Aquila, Inc. hereby elect to have their appeal of the final order¹

¹ Order Denying Trustee's Motion for Partial Summary Judgment, Granting Defendants' Cross-Motion for Summary Judgment, and Dismissing Defendants' Rule 56(d) Motion as Moot [Docket No. 216].

entered in this adversary proceeding on June 20, 2014, heard by the United States District Court for the District of Utah.

Dated this 7th day of July, 2014.

RAY QUINNEY & NEBEKER P.C.

/s/ Brent D. Wride
Brent D. Wride
Proposed Attorneys for Chapter 11
Trustee
Attorneys for Aquila, Inc.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **STATEMENT OF ELECTION TO HAVE APPEAL HEARD IN DISTRICT COURT** was electronically filed with the Clerk of the Court using the CM/ECF system on July 7, 2014, and therefore electronic notification was sent to all parties whose names appear on the electronic mail notification list for the Court.

/s/ Patricia Brown _____

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